

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ZANNIE J. LOTHARP,	)	
	)	
Petitioner,	)	
	)	1:20CV6
v.	)	1:19CV448-1
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ORDER**

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. §636(b) and, on January 28, 2020, was served on the parties in this action. (ECF Nos. 4, 5). No objections were filed within the time prescribed by §636.

The Court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is filed and DISMISSED *sua sponte* without prejudice to Petitioner filing a new petition which corrects the defects of the current Petition. The new petition must be accompanied by either the five-dollar filing fee or a current application to proceed *in forma pauperis*.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This, the 4<sup>th</sup> day of March 2020.

/Loretta C. Biggs  
United States District Judge